



Practitioner's Docket No. 297/104/2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Cuomo et al.

Application No.: 09/997,162
Filed: 11/29/2001

Group No.: 1753
Examiner: McDonald, Rodney

For: NON-THERMIONIC SPUTTER MATERIAL TRANSPORT DEVICE, METHODS OF USE,
AND MATERIALS PRODUCED THEREBY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231
37 C.F.R. § 1.8(a) 37 C.F.R. § 1.10*
☒ with sufficient postage as first class mail. ☐ as "Express Mail Post Office to Addressee"
Mailing Label No. _____ (mandatory)

TRANSMISSION

- ☐ facsimile transmitted to the Patent and Trademark Office, (703) _____

Bonnie S. Sheridan
Signature

Date: May 2, 2003

Bonnie S. Sheridan
(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

| | (Col. 1) | (Col. 2) | (Col. 3) | SMALL ENTITY | | | |
|---|---|---------------------------------------|------------------|---------------------|---------------|--|--------|
| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | | | | |
| | | | | RATE | ADDIT. FEE | | |
| TOTAL | 64 | - 54 | = 10 | x \$ 9.00 | = \$ | | 90.00 |
| INDEP. | 4 | - 3 | = 1 | x \$ 42.00 | = \$ | | 42.00 |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | + \$ 0.00 | = \$ | | 0.00 |
| | | | | TOTAL ADDIT. FEE | \$ | | 132.00 |

Total additional fee for claims required \$132.00

FEE PAYMENT


5. Authorization is hereby made to charge the amount of \$132.00 to Deposit Account No. 50-0426.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

Date: May 2, 2003

Reg. No.: 41,037
Tel. No.: 919-493-8000



Signature of Practitioner

David P. Gloekler
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Durham, NC 27707



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 on May 2, 2003.

Bonnie S. Sheridan
Bonnie S. Sheridan
Date of Signature May 2, 2003

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Cuomo et al.

Group Art Unit: 1753

Serial No.: 09/997,162

Examiner: McDonald, Rodney

Filed: November 29, 2001

Docket No.: 297/104/2

Confirmation No.: 3621

For: NON-THERMIONIC SPUTTER MATERIAL TRANSPORT DEVICE,
METHODS OF USE, AND MATERIALS PRODUCED THEREBY

AMENDMENT B

Commissioner for Patents
Washington, D.C. 20231

Sir:

This is responsive to the Office Action dated March 5, 2003, Paper No. 9,
having a term that will expire on June 5, 2003. Favorable consideration is
respectfully requested in view of the following Amendments and Remarks.

AMENDMENT

Please amend the subject application as follows:

IN THE CLAIMS:

Please add the following new claims 55 – 73:

- B1
55. (New) The device according to claim 42 wherein the injector assembly is constructed from the same material as the target cathode.
56. (New) The device according to claim 42 wherein the injector assembly is constructed from a material different from the target cathode.

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